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## *Memorandum*

TO: Administration Committee

DATE: June 3, 2009

FR: General Counsel

W.I.: 1802

RE: Contract Amendment: Litigation Special Counsel: Hanson Bridgett, LLP

I will be briefing the Committee in closed session under agenda item number 2 regarding the plaintiffs' appeal in *Darensburg, et al. v. MTC* (U.S. District Court, Northern District, Case No. C-05-01597-EDL), and the disposition of *Sherman Lewis, et al. v. MTC, et al.*, (Alameda County Superior Court, Case No. RG-09-438262).

Consistent with the closed session discussion, I will be requesting the Committee's approval in open session of budget increase amendments to MTC's Special Litigation Counsel contract with Hanson Bridgett, LLP to (1) fund defense of the appeal of the *Darensburg* case, and (2) to close out the *Lewis* case. The budget amendments will be subject to funds available in the FY 2008-2009 budget and the Commission's approval of the FY 2009-10 agency budget.

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Francis Chin

FC:rc

## REQUEST FOR COMMITTEE APPROVAL

### Summary of Proposed Legal Services Contract Amendment

Work Item No.:	1802
Law Firm:	Hanson Bridgett, LLP San Francisco, CA
Work Project Title:	Special Litigation Counsel
Purpose of Project:	Assist the Office of the General Counsel in litigation regarding the plaintiffs' appeal in <u>Darensburg, et al. v. MTC</u> , (U.S. District Court, Northern District, Case No. C-05-01597-EDL), and the disposition of <u>Sherman Lewis, et al. v. MTC, et al.</u> , (Alameda County Superior Court, Case No. RG-09-438262).
Project Cost Not to Exceed:	Amount confidential during the pending of this litigation, subject to funds available in MTC's litigation contingency budget.
Funding Source:	TDA
Fiscal Impact:	In current FY's litigation contingency budget.
Motion by Committee:	That the Executive Director or his designee is authorized to negotiate and enter into a contract amendment with Hanson Bridgett Marcus Vlahos & Rudy as Special Litigation Counsel and the Chief Financial Officer is directed to set aside funds for such contract amendment.
Administration Committee:	<hr/> Tom Bates, Chair
Approved:	Date: June 10, 2009